

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TRI HUU HUYNH,
Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND
REHABILITATION (CDCR), et al.,
Defendants.

Case No. [18-cv-05670-RS](#) (PR)

ORDER REOPENING ACTION;

**ORDER DENYING MOTION FOR
THE APPOINTMENT OF COUNSEL**


This federal civil rights action is REOPENED. The judgment and the order of dismissal are VACATED.

Plaintiff's motion for the appointment of counsel is DENIED. (Dkt. No. 23.) This case does not present factually or legally complex issues and plaintiff has filed clearly written and well-reasoned filings. *Franklin v. Murphy*, 745 F.2d 1221, 1236 (9th Cir. 1984) (the decision to request counsel to represent an indigent litigant under 28 U.S.C. § 1915 is within "the sound discretion of the trial court and is granted only in exceptional circumstances.").

Plaintiff's motion to proceed *in forma pauperis* is DENIED as moot, the Court having granted his prior such motion. (Dkt. Nos. 9 and 22.) The Court will review his amended complaint in a separate order. The Clerk shall terminate all pending motions.

IT IS SO ORDERED.

Dated: March 20, 2023



RICHARD SEEBORG
United States District Judge